

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
14G0766

IN THE MATTER OF)	
)	REPRIMAND
CORINNE A. RAILEY,)	
ATTORNEY AT LAW)	

On January 21, 2016 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by J. H. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of this matter.

Pursuant to Section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Subcommittee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Subcommittee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

You represented J.H. in a domestic case. J.H. was unwilling to provide certain materials requested by the opposing party in discovery without a protective order in place. Even after the court entered a protective order, you failed to produce the discovery materials, in violation of Rule 3.2 and Rule 8.4(d). In late May 2014, the court entered an order requiring your client to pay \$600 to his wife on the first of every month "beginning in May," and to pay an additional

\$500 by July 1. You received a copy of the order soon after it was entered, and directed your staff to mail it to J.H. Your staff failed to do so, you did not attempt to contact J.H. by phone or email, and your client was therefore unaware of his obligations under the order. Consequently, the opposing party filed and scheduled for hearing a motion for contempt. Your assistant emailed the May 2014 post-separation support order and the motion for contempt to J.H. on 17 July 2014, without any explanation of his obligations under the order, the fact that he was already in arrears, or of why you had not timely notified him of the order. As a result of your inattention to his case, J.H. was sanctioned by the court. Your actions in J.H.'s case after the May 2014 order was entered constituted a lack of diligence in violation of Rule 1.3, failure to communicate in violation of Rules 1.4(a) and (b), and inadequate supervision of your non-lawyer assistant(s) in violation of Rule 5.3.

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a reprimand by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this the 7th day of February, 2016.



Michael L. Robinson, Chair
Grievance Committee

MLR/lb